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In re Application of
DAHLKE et al
U.S. Application No.: 10/568,115
PCT No.: PCT/EP2004/008116
Int. Filing Date: 20 July 2004
Priority Date: 13 August 2003
Attorney Docket No.: 2003P09461WOUS
For: HEAT SHIELD ARRANGEMENT FOR A
COMPONENT GUIDING A HOT GAS
IN PARTICULAR FOR A
COMBUSTION CHAMBER IN A GAS
TURBINE

DECISION

This petition is in response to the papers filed on 09 May 2008 which are treated as a renewed petition under 37 CFR 1.8(b).

BACKGROUND

On 01 May 2008, a decision dismissing applicants' petition to withdraw the holding of abandonment under 37 CFR 1.8(b) was mailed. Applicants were given two months to respond with extensions of time available.

On 09 May 2008, applicants filed the subject petition which was accompanied by several exhibits.

DISCUSSION

Applicants' original petition was dismissed as the Communication Result report did not identify the facsimile number to which the papers filed 14 August 2006 were sent. Applicants were requested to provide additional evidence that the documents were sent to the facsimile number in question (571-270-9880).

In the renewed response, applicants explain that the facsimile machine used to submit the response in question to India L. Evans at 571-270-9880 "generically identifies the patent office numbers as "USPTO" rather than particularizing the fax number to which the papers are sent." Applicants submitted test facsimiles to several USPTO facsimile numbers and the Communication Result Report all identified the number as "USPTO." This is an adequate explanation.

10/568,115

All requirements of 37 CFR 1.8(b) are satisfied.

CONCLUSION

Applicants' petition to withdraw the holding of abandonment is **GRANTED**.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 10 December 2007 is hereby **VACATED**.

The declaration originally submitted on 14 August 2006 is in compliance with 37 CFR 1.497(a) and (b). The \$130.00 surcharge fee has been charged to Deposit Account No. 19-2179 as authorized.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 20 July 2004 under 35 U.S.C. 363 and a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 14 August 2006.

This application is being forwarded to the United States Designated/Elected Office for further processing.

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